

AT&T Docket No. 113349

Application No. 09/302,762

In Item 3, the Office Action objects to the drawings. Applicant submits that amending Figure 3 to be Figure 4, which corresponds to the originally filed Figure 4, and adding new Figure 3 obviates the objection in Item 3 of the Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to the Figures.

In Item 4, the Office Action rejects claims 1-5 and 10-21 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,878,037 to Sherman. In Item 5, the Office Action rejects claim 7 under 35 U.S.C. §103 as being obvious over Sherman. Applicant traverses these rejections.

Applicant respectfully submits that Sherman fails to teach, disclose, or suggest a communication system at least including, inter alia, transmission equipment that encodes user signals originating at or near the transmission equipment based on the origination path and a particular destination path, as recited in the context of independent claim 1. Additionally, Applicant respectfully submits that Sherman fails to teach, disclose, or suggest a communication method at least including, inter alia, encoding user signals based on the origination path and a particular destination path, and then transmitting the encoded, user signals on the particular origination path, as recited in the context of independent claim 18.

The disclosure by Sherman is directed to methods and apparatuses for processing communications signals. Specifically, a data stream is modulated with a traffic code to generate a narrowband signal. The narrowband signal is then spread with a cover code to generate a wideband signal. The wideband signal is then transmitted in an uplink (origination path) signal beam to a signal relay adapted to receive one or more uplink signal beams. See, for example, column 1, lines 32-39.

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Contrary to independent claim 1, however, Sherman fails to disclose the transmission equipment encoding based on the destination path. Rather, Sherman appears to specifically disclose encoding based on the downlink (destination path) by the switching equipment. See, for example, Fig. 3 and column 5, line 65, to column 6, line 7. The Office Action fails to show, and Applicant does not understand, Sherman disclosing transmission equipment encoding user signals originating at or near the transmission equipment based on the origination path and a particular destination path, as recited in the context of independent claim 1.

Additionally, contrary to independent claim 18, Sherman fails to disclose a method including encoding user signals based on the origination path and a particular destination path and then transmitting the encoded user signals on the particular origination path. Rather, Sherman appears to specifically disclose encoding based on the downlink (destination path) after transmitting the encoded user signals on the particular uplink (origination path). See, for example, Fig. 3 and column 5, line 65, to column 6, line 7.

Accordingly, Applicant respectfully asserts that disclosure by Sherman fails to anticipate independent claims 1 and 18.

Claims 1-5 and 10-21 depend from claims 1 and 18 and, therefore, distinguish over the disclosure by Sherman at least for the respective reasons explained with respect to claims 1 and 18.

Furthermore, claim 7 depends from claim 1 and, therefore, is not rendered obvious over the disclosure by Sherman and fails to render obvious claim 7 at least for the reason explained with respect to claim 1.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-5, 7, and 10-21.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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JAO:HAS/scg

Attachment:

Request for Approval of Drawing Corrections

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